



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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SONTERRA CAPITAL MASTER FUND, LTD:
on behalf of itself and all others
similarly situated,

Plaintiff,

-v-

BARCLAYS BANK PLC, et al.,

Defendants.

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FRONTPOINT EUROPEAN FUND, L.P., and
RICHARD DENNIS, on behalf of themselves
and all others similarly situated,

Plaintiffs,

-v-

BARCLAYS BANK PLC, et al.,

Defendants.

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15-CV-3538 (VSB)

16-CV-464 (VSB)

VERNON S. BRODERICK, United States District Judge:

I am in receipt of the Plaintiffs' pre-motion letter requesting to file a motion to consolidate, (Doc. 84), and Defendants' letter in opposition to that motion, (Doc. 87). On February 11, 2016, I held a conference regarding Plaintiffs' anticipated motion to consolidate *Sonterra Capital Master Fund, Ltd. v. Barclays Bank PLC, et al.*, case No. 15-CV-3538 ("Sonterra"), and *FrontPoint and Richard Dennis v. Barclays et al.*, case No. 16-CV-464 ("FrontPoint"). I will dispense with the filing of a formal motion to consolidate. Because I find

that the cases involve common questions of law and fact and that consolidation would be in the interest of judicial economy I grant Plaintiffs' motion.

Under Rule 42(a) of the Federal Rules of Civil Procedure district courts may consolidate actions, either sua sponte or on motion, that "involve a common question of law or fact"

District courts have "broad discretion to consolidate actions under Rule 42(a)." *Stone v. Agnico-Eagle Mines Ltd.*, 280 F.R.D. 142, 143 (S.D.N.Y. 2012) (citing *Devlin v. Transp. Commc'ns Int'l Union*, 175 F.3d 121, 130 (2d Cir. 1999)).

Having considered the parties' submissions, (Docs. 85, 87), and argument, for the reasons stated on the record, I find that *Sonterra* and *FrontPoint* involve common questions of law and fact such that consolidation is in the interests of efficiency and judicial economy. Plaintiffs' motion to consolidate the above-captioned actions is GRANTED. Accordingly, I ORDER that:

1. *FrontPoint*, case No. 16-CV-464, is consolidated with and into *Sonterra*, case No. 15-CV-3538;
2. All future motions and other filings shall use the number of the first-filed case, Case No. 15-CV-3538, and the caption listed in this Order; and
3. Defendants' motion to dismiss filed in *Sonterra*, (Doc. 65), is dismissed without prejudice to renew.

The parties are directed to file a joint letter by February 18, 2016 addressing the following:

1. Update regarding service of the complaint in *FrontPoint*;
2. Deadline for Plaintiffs to file a consolidated complaint;
3. Proposed briefing schedule for Defendants' motion to dismiss the consolidated complaint; and

4. Confirmation that the page limits set forth in my October 19, 2015 Order, (Doc. 61), shall apply to the parties' briefs related to Defendants' motion to dismiss the consolidated complaint.

After I review the parties' joint letter, I will issue an order regarding the briefing schedule for Defendants' motion to dismiss the consolidated complaint, and the parties need not file pre-motion letters with respect to that motion.

The Clerk of the Court is respectfully directed to terminate Defendants' motion to dismiss, (Doc. 65), and to consolidate cases No. 16-CV-464 and No. 15-CV-3538. However, case No. 16-CV-464 should not be administratively closed until such time as service of the complaint is effectuated in that case and a consolidated complaint has been filed.

SO ORDERED.

Dated: February 16, 2016
New York, New York

A handwritten signature in black ink, reading "Vernon S. Broderick". The signature is written in a cursive, flowing style with a large initial "V".

Vernon S. Broderick
United States District Judge